



**Memorandum
Department of Law**

111641

DATE: August 14, 2025

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna
County Attorney

RE: Authority to enter into a first amendment to a grant agreement for the Second Statewide Expansion of Hurrell-Harring grant with the New York State Office of Indigent Legal Services to improve the quality of mandated indigent legal services in order to increase the amount of the grant from \$8,451,219.48 to \$8,958,292.65 and to enter into a first amendment to an agreement with The Legal Aid Society of Westchester County

On October 31, 2024, your Honorable Board approved a resolution authorizing the County of Westchester (the "County") to enter into a grant agreement (the "Grant Agreement") for the Second Statewide Expansion of Hurrell-Harring grant with the New York State Office of Indigent Legal Services ("ILS") for the receipt of \$8,451,219.48 to improve the quality of indigent legal services provided by the County for the period April 1, 2024 through March 31, 2027 and to enter into an agreement with The Legal Aid Society of Westchester County ("The Legal Aid Society") to implement a portion of the County's indigent legal services work plan for the Grant Agreement for the period April 1, 2024 through March 31, 2027 (the "Agreement"). A portion of the work plan would be provided by the County Independent Office of Assigned Counsel. The Grant Agreement and Agreement were subsequently executed.

ILS has approved a budget amendment to the Grant Agreement in order to increase the amount of the grant from \$8,451,219.48 to \$8,958,292.65. This budget amendment will increase the funding for The Legal Aid Society from an amount not to exceed \$3,421,769.34 to an amount not to exceed \$3,649,002.51. The amount allocated to the County Independent Office of Assigned Counsel will be increased from an amount not to exceed \$5,029,450.14 to an amount not to exceed \$5,309,290.14. The work plan for the Grant will be amended to reflect this additional funding.

The first amendment to the Grant Agreement and the Agreement will serve a public purpose in that they will enable the County to improve its lawful obligation of providing counsel to certain indigent persons. The goals and objectives are to ensure that effective counsel is provided in a cost efficient manner. The goals and objectives will be tracked and monitored by the County Budget Office.

The first amendment to the Grant Agreement not a procurement so the County's Procurement Policy and Procedures does not apply. The first amendment to the Agreement Aid Society is exempt from the County's Procurement Policy and Procedures pursuant to Section 3(a)xiv.

I certify that my department, a) has copies of, or access to all applicable laws, rules, regulations, grant applications, and grant agreements (including any master agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b), has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Accordingly, it is respectfully requested that your Honorable Board approve the attached resolution.

JMN/LAC
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/21/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the County Attorney, be it

RESOLVED, that the County of Westchester (the “County”) be and is hereby authorized to enter into a first amendment to a grant agreement Grant Agreement with the New York State Office of Indigent Legal Services for the Second Statewide Expansion of Hurrell-Harring grant in order to increase the amount of the grant from \$8,451,219.48 to \$8,958,292.65 payable pursuant to an approved budget; and be it further

RESOLVED, that the County be and is hereby authorized to enter into a first amendment to an agreement with The Legal Aid Society of Westchester County in order to increase the not to exceed amount from \$3,421,769.34 to a new amount not to exceed \$3,649,002.51 pursuant to an approved budget; and be it further

RESOLVED, that the work plan for the Grant Agreement will be amended to reflect this additional funding; and be it further

RESOLVED, that the amount allocated to the County Independent Office of Assigned Counsel will be increased from an amount not to exceed \$5,029,450.14 to a new amount not to exceed \$5,309,290.14 pursuant to an approved budget; and be it further

RESOLVED, that the County Executive, or his duly authorized designee, is empowered to execute all documents necessary to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	401	52	1000			3,649,002.51
		43	1000			5,309,290.14

Budget Funding Year(s) 2024-2027 Start Date End Date
(must match resolution)

Funding Source Tax Dollars _____
State Aid 8,958,292.65
\$8,958,292.65 Federal Aid _____
(must match resolution)
Other _____